



**MEMO ENDORSED**

June 4, 2024

**Sarah A. Trepel**  
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**Via ECF**

The Honorable Jessica G. L. Clarke  
United States District Court  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Letter Motion for Extension**  
**of Time to Complete**  
**Discovery and Pre-Motion**  
**Discovery Conference**

Re: *Theresa Stevens v. Megabus Northeast LLC, et al*  
Docket No. : **23-CV-9193 (JGLC)**  
Our File No. : **15622.392**

Dear Justice Clarke:

Please allow this letter to serve as a status update and request for an extension of time to complete discovery in the above-referenced action, on the basis that additional time to complete discovery is necessary. In addition, defendants submit this letter to request a pre-motion discovery conference with the court. This letter is submitted jointly with the consent of all parties.

Pursuant to the Civil Case Management Plan and Scheduling order dated February 7, 2024, the following is the current discovery deadline schedule:

- Fact discovery to be completed by June 5, 2024;
- Plaintiff's expert disclosures to be made by June 5, 2024;
- Defendants' expert disclosures to be made by July 5, 2024;
- Post-discovery joint status letter to be submitted by the parties by June 12, 2024;
- All expert discovery, including expert reports and depositions, to be completed by July 21, 2024.

Since the parties' joint status letter to the Court dated May 3, 2024, plaintiff served Responses to Defendants' First Rule 34 Request for Documents and Defendants' First Set of Interrogatories dated May 17, 2024. Plaintiff notes that defendants have yet to respond to Plaintiff's First Set of



Interrogatories, dated March 22, 2024. Defendants are in the process of obtaining the information needed to fully respond to plaintiff's interrogatories and will respond shortly.

Furthermore, it is defendants' position that plaintiff's responses to Defendants' First Rule 34 Request for Documents are deficient, as various requests were improperly objected to. Defendants' First Rule 34 Request for Documents dated March 7, 2024, plaintiff's Responses to Defendants' First Rule 34 Request for Documents dated May 17, 2024, and defendants' letter demanding supplemental responses to Defendants' First Rule 34 Request for Documents dated May 30, 2024, are annexed hereto as **Exhibits "A", "B", and "C"** respectively. The parties have conferred in good faith regarding the issues addressed in defendants' May 30, 2024 letter, but have been unable to resolve the dispute. Accordingly, defendants respectfully request a pre-motion discovery conference with the court.

To date, depositions of all parties remain outstanding. The parties are in the process of scheduling depositions for August 2024.

In light of the foregoing, the parties respectfully propose the following revised schedule, with good cause for same having been shown:

- Fact discovery to be completed by September 5, 2024;
- Plaintiff's expert disclosures to be made by September 5, 2024;
- Defendants' expert disclosures to be made by October 4, 2024;
- Post-discovery joint status letter to be submitted by the parties by September 12, 2024;
- All expert discovery, including expert reports and depositions, to be completed by October 21, 2024.

We appreciate the Court's time and consideration of this application.

Respectfully submitted,

Wilson Elser Moskowitz Edelman and Dicker, LLP

/s/ Sarah A. Trepel

By: Sarah A. Trepel, Esq.

*Attorneys for Defendants*

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TO: **Via ECF**

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Application GRANTED in part and DENIED in part. The Court extends the parties' discovery deadlines as set forth above. The case management conference scheduled for July 30, 2024 is hereby adjourned to **October 29, 2024 at 10:00 a.m.** The parties' request for a pre-motion discovery conference to resolve their discovery dispute is DENIED without prejudice. The parties failed to comply with Rule 4(k) of the Court's Individual Rules and Practices in Civil Cases. Accordingly, the parties are directed to meet and confer regarding their dispute and then file a joint letter that complies with this Court's Individual Rules.

The Clerk of Court is directed to terminate ECF No. 24.

SO ORDERED.

A handwritten signature in blue ink that reads "Jessica Clarke".

JESSICA G. L. CLARKE  
United States District Judge

Dated: June 20, 2024  
New York, New York